

Application No. 10/603,875
Amendment Dated December 6, 2004
Reply to Office Action of September 10, 2004

REMARKS/ARGUMENTS

Claims 1-20 were pending in the present application before the amendment as set forth above. By this Amendment, claims 1, 9 and 18 are amended.

The September 10, 2004 Office Action rejected claims 1-20 under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,918,090 to Ichikawa et al (hereinafter "Ichikawa").

Additionally, the Examiner objected to the title of the present application as not being descriptive and therefore required that a new title of the present application be submitted wherein the title is clearly indicative of the present application to which the claims are directed.

Applicants have carefully reviewed the September 10, 2004 Office Action and the cited reference and appreciate the Examiner's review of the present application.

In response, as set forth above, claims 1, 9 and 18 have respectively been amended according to embodiments shown in Figs. 5-12 of the drawings and disclosed in the specification as originally filed.

Furthermore, the title of the present application has been amended to be indicative of the present application to which the claims are directed, as suggested by the Examiner in the September 10, 2004 Office action.

Support for the amendment set forth above can be found in the disclosure as originally filed at least in claims 1-20, in the specification and in Figs. 5-12 of the drawings. Thus, no new matter is added. However, the claims are not limited to the disclosed embodiments.

Application No. 10/603,875
Amendment Dated December 6, 2004
Reply to Office Action of September 10, 2004

The following remarks herein are considered to be responsive thereto. Support for the remarks set forth below can be found in the disclosure as originally filed.

A. Objection to Title

In response to the Examiner's objection, the title of the present application has been amended to "A TONER CONTAINER AND A REMOVABLE LID FOR USE THEREWITH," which is clearly indicative of the present application to which the claims are directed, as suggested by the Examiner in the September 10, 2004 Office action. Applicants therefore respectfully request that the Examiner's objection to the title of the present application be withdrawn.

B. 35 U.S.C. §102(b) Rejections

Claims 1-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Ichikawa. Applicants respectfully traverse the rejections made by the Examiner at least for the reasons discussed below.

Claims 1-8:

As currently amended, amended claim 1, among other unique limitations, recites a removable lid for use with a toner container that requires "a lug having a first end and a second end defining a body portion; and a plurality of arms connecting the lug and the ring, wherein the ring is sized to fit into a position at the sidewall portion such that when the ring is placed into the position, *the second end of the lug and the inner surface of the bottom portion define a gap therebetween so that there is no contact between the second end of the lug and the bottom portion.*" (Emphasis added.)

Application No. 10/603,875
Amendment Dated December 6, 2004
Reply to Office Action of September 10, 2004

Ichikawa discloses a developer replenishing device and a developer container having a lid 25, as shown in Figs. 3, 5, 9 13 and 19, where "[a] mushroom-like lug 26 *protrudes* from the center of the lid 25." Ichikawa, col. 6, lines 63-64. And "the lid 25 should preferably be configured such that the flange 65 thereof is *protruded* sufficiently more than the lug 26" Ichikawa, col. 13, lines 23-25. (Emphasis added.)

As discussed in the specification of the present application, among other things, it is believed that one disadvantage associated with the Ichikawa type lid, which is understood to be comparable to a lid 425 and shown in Figs. 1 and 2 of the present application, is "that a user may accidentally nip the lug 426 of the lid 425, which, when the user uses enough force, may break the bottom portion of the lid 425 so as to cause toner falling from the bottle 420." See page 2, second paragraph and Figs. 1 and 2 of the present application.

In contrast, in one embodiment as shown in Figs. 5-8 of the present application as originally filed, a lid 100 has a ring 12 and a lug 20 having a first end 21 and a second end 23 defining a body portion 22. Additionally, the lid 100 has a plurality of arms 24 connecting the lug 20 and the ring 12, wherein the ring 12 is sized to fit into a predetermined position 25 at the sidewall portion 17 such that when the ring 12 is placed into the position 25, the second end 23 of the lug 20 and the inner surface 13 of the bottom portion 11 define a gap g therebetween, as best shown in Figs. 5 and 7, respectively. As such formed and now claimed by amended claim 1, there is no contact between the second end 23 of the lug 20 and the bottom portion 11.

Thus, when the lug 20 is pulled by a force, the force is distributed through the arms 24 to the sidewall portion 17. Even if a strong force is accidentally used to pull the lug 20 off the bottom portion 11 will not break and toner will not spill like the prior art lid shown in Figs. 1 and 2 of the present application because there is no contact between the second end 23 of the lug 20 and the bottom portion 11.

Application No. 10/603,875
Amendment Dated December 6, 2004
Reply to Office Action of September 10, 2004

Therefore, Ichikawa does not disclose or teach a removable lid for use with a toner container that requires "a lug having a first end and a second end defining a body portion; and a plurality of arms connecting the lug and the ring, wherein the ring is sized to fit into a position at the sidewall portion such that when the ring is placed into the position, *the second end of the lug and the inner surface of the bottom portion define a gap therebetween so that there is no contact between the second end of the lug and the bottom portion.*" (Emphasis added.)

For at least the foregoing reasons, independent claim 1 as amended is patentable under 35 U.S.C. §102(b) over the cited reference.

Accordingly, claims 2-8, which depend from allowable amended claim 1, are patentable at least for the above reasons.

Claims 9-17:

As currently amended, amended claim 9, among other unique limitations, recites a removable lid for use with a toner container that requires "a lug having a first end and a second end defining a body portion with a center of axis; and a plurality of arms projecting away from a center axis of the lug from the second end of the lug and engaging the sidewall portion such that *the second end of the lug and the inner surface of the bottom portion define a gap therebetween so that there is no contact between the second end of the lug and the bottom portion.*" (Emphasis added.)

In one embodiment as shown in Figs. 9-12 of the present application as originally filed, for example, a lid 200 includes a lug 120, as shown in Figs. 10 and 12, which has a first end 121 and a second end 123 defining a body portion 122 with a center axis B, and a plurality of arms 124 projecting away from the center axis B of the lug 120 from the second end 123 of the lug 120 and engaging the sidewall portion 117 such that the second end 123 of the lug 120 and the first surface 113 of the bottom portion 111 define a gap g_2 therebetween. As such formed and

Application No. 10/603,875
Amendment Dated December 6, 2004
Reply to Office Action of September 10, 2004

now claimed by amended claim 9, there is no contact between the second end 123 of the lug 120 and the bottom portion 111.

Incorporating the reasons as set forth above why amended claim 1 is patentable under 35 U.S.C. §102(b) over the cited reference herein, amended claim 9 is patentable over Ichikawa at least for the same reasons.

Accordingly, claims 10-17, which depend from allowable amended claim 9, are patentable at least for the above reasons.

Claims 18-20:

As currently amended, amended claim 18, among other unique limitations, recites a removable lid for use with a toner container that requires "a lug having a first end and a second end defining a body portion, wherein the lug is engaged with the body at a position at the sidewall portion such that *the second end of the lug and the inner surface of the bottom portion define a gap therebetween so that there is no contact between the second end of the lug and the bottom portion.*" (Emphasis added.)

Incorporating the reasons as set forth above why amended claim 1 is patentable under 35 U.S.C. §102(b) over the cited reference herein, amended claim 18 is patentable over Ichikawa at least for the same reasons.

Accordingly, claims 19 and 20, which depend from allowable amended claim 18, are patentable at least for the above reasons.

It is thus believed that the application is in condition for allowance at least for the above reasons and such allowance is respectfully requested.

Application No. 10/603,875
Amendment Dated December 6, 2004
Reply to Office Action of September 10, 2004

If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call the undersigned at 404-495-3678.

Respectfully submitted,

MORRIS, MANNING & MARTIN, LLP

December 6, 2004



Tim Tingkang Xia
Reg. No. 45,242
Attorney for Applicant on the Record
TTX

MORRIS, MANNING & MARTIN, LLP
1600 Atlanta Financial Center
3343 Peachtree Road, N.E.
Atlanta, Georgia 30326-1044
Phone: 404-233-7000
Direct: 404-495-3678